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DATE: January 30, 2006
FILE NO: ROC920010109US1 (IBMK10109)
TO: MAIL STOP AMENDMENT
Examiner Ronald Laneau
FAX NO: 1-571-273-8300
FROM: Gero G. McClellan / David Magness
PAGE(S) with cover: 15

RE:

TITLE: Method and Apparatus Upgrade Assistance Using Critical Historical Product Information

U.S. SERIAL NO.: 09/865,371
FILING DATE: May 25, 2001
INVENTOR(S): Earl Walter Emerick et al.
EXAMINER: Ronald Laneau
GROUP ART UNIT: 3627
CONFIRMATION NO.: 3728

Attached are the following document(s) for the above-referenced application:

Response To Office Action Dated October 28, 2005.

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PATENT
App. Ser. No.: 09/865,371
Atty Dkt. No. ROC920010109US1
PS Ref. No.: IBMK10109

JAN 30 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:
Earl Walter Emerick et al.**

Serial No.: 09/865,371

Confirmation No.: 3728

Filed: May 25, 2001

**For: Method and Apparatus Upgrade
Assistance Using Critical
Historical Product Information**

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**Group Art Unit: 3627**

**Examiner: Ronald Laneau**

**MAIL STOP AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**Dear Sir:**

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 to the attention of Examiner Ronald Laneau, on the date shown below:

January 30, 2006  
Date

David M. Magness

**RESPONSE TO OFFICE ACTION DATED OCTOBER 28, 2005**

In response to the Office Action dated October 28, 2005, having a shortened statutory period for response set to expire on January 28, 2006, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465/ROC920010109US1 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 10 of this paper.